

April 15, 2011

AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
April 15, 2011

I. OPENING OF MEETING AT 11:00 A.M. AT 160 N. LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 18, 2011

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR MEETING HELD MARCH 18, 2011?

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IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging	147	10
Agriculture.....	420	16
Arts Council.....	19	2
Capitol Development Board	46	0
Central Management Services	1,398	115
Children and Family Services.....	2,932	48
Civil Service Commission	4	0
Commerce & Economic Opportunity	421	65
Commerce Commission.....	79	0
Corrections.....	11,615	103
Criminal Justice Authority.....	62	5
Deaf and Hard of Hearing Comm.....	7	1
Developmental Disabilities Council	9	1
Emergency Management Agency	91	7
Employment Security	1,859	29
Environmental Protection Agency.....	888	16
Financial & Professional Regulation	477	41
Gaming Board.....	88	5
Guardianship and Advocacy	107	7
Healthcare and Family Services.....	2,257	25
Historic Preservation Agency	189	9
Human Rights Commission	14	2
Human Rights Department	149	8
Human Services.....	13,298	73
Illinois Torture Inquiry Relief Commission.....	1	1
Insurance.....	247	11
Investment Board.....	2	1
Juvenile Justice	1,229	20
Labor.....	77	7
Labor Relations Board Educational	13	2
Labor Relations Board State	15	2
Law Enforcement Training & Standards Bd.....	18	2
Medical District Commission	2	0
Military Affairs.....	120	3
Natural Resources	1,227	26
Pollution Control Board.....	21	1
Prisoner Review Board.....	19	0
Property Tax Appeal Board	24	1
Public Health	1,088	40
Racing Board	2	0
Revenue	1,998	57
State Fire Marshal.....	137	12
State Police	1,277	4
State Police Merit Board.....	6	1
State Retirement Systems	86	2
Transportation.....	3,226	0
Veterans' Affairs	1,232	8
Workers' Compensation Commission	175	7
TOTALS.....	48,818	796

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C1. Illinois Sentencing Policy Advisory Council – Proposed Exemption

Position Number	40070-50-04-000-00-01
Position Title	Senior Public Service Administrator
Functional Title	Executive Director
Incumbent	Kathryn Saltmarsh
Supervisor	Illinois Sentencing Policy Advisory Council
Location	Sangamon County

C2. Illinois Sentencing Policy Advisory Council – Proposed Exemption

Position Number	40070-50-04-000-01-01
Position Title	Senior Public Service Administrator
Bureau/Division	Executive Director’s Office
Functional Title	Senior Policy Advisor
Incumbent	Vacant
Supervisor	Executive Director who reports to the Illinois Sentencing Policy Advisory Council
Location	Sangamon County

CMS Recommendation: “These positions meet the reporting criteria of the Commission Rules and considering the similarity of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Agriculture – Proposed Exemption

Position Number	40070-11-61-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Computer Services
Functional Title	Chief Information Officer and Bureau Chief of the Bureau of Computer Services
Incumbent	Vacant
Supervisor	Division Manager of the Division of Administrative Services, who reports to the Chief of Staff, who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Department of Central Management Services – Proposed Exemption

Position Number	40070-37-10-000-20-01
Position Title	Senior Public Service Administrator
Bureau/Division	BCCS ¹ , Information Technology & Telecom Policy and Planning
Functional Title	Chief of Information Technology Policy and Planning
Incumbent	Vacant
Supervisor	BCCS Deputy Director, who reports to the Director
Location	Sangamon County

CMS Recommendation: “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F1. Illinois Department of Children and Family Services – Proposed Exemption

Position Number	40070-16-13-400-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Monitoring
Functional Title	Associate Deputy Director of Field Audits
Incumbent	Vacant
Supervisor	Deputy Director of Monitoring, who reports to the Chief of Staff, who reports to the Director
Location	Cook County

F2. Illinois Department of Children and Family Services – Proposed Exemption

Position Number	40070-16-18-420-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Child Protection
Functional Title	State Central Register Administrator
Incumbent	Vacant
Supervisor	Deputy Director of Child Protection, who reports to the Chief of Staff, who reports to the Director
Location	Sangamon County

F3. Illinois Department of Children and Family Services – Proposed Exemption

Position Number	40070-16-20-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Budget and Finance
Functional Title	Manager, Medicaid Certification and Program Services
Incumbent	Vacant
Supervisor	Deputy Director of Budget & Finance, who reports to the Director
Location	Sangamon County

¹ Bureau of Communications and Computer Services

F4. Illinois Department of Children and Family Services – Proposed Exemption

Position Number	40070-16-24-100-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Guardian and Advocacy
Functional Title	Assistant Guardianship Administrator
Incumbent	Vacant
Supervisor	Deputy Director of Guardian and Advocacy, who reports to the Chief of Staff, who reports to the Director
Location	Cook County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of these requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemptions.”

G. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-02-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Assistant Secretary of Operations
Functional Title	Special Management Assistant/Senior Policy Advisor
Incumbent	Vacant
Supervisor	Assistant Secretary of Operations, who reports to the Secretary
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

H1. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-76-320-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Mental Health
Functional Title	Deputy Director of Adult Services, Mental Health Division
Incumbent	Vacant
Supervisor	Director of Mental Health, who reports to the Assistant Secretary, who reports to the Secretary
Location	Cook County

H2. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-76-340-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Mental Health
Functional Title	Deputy Director of Licensing and Quality Management
Incumbent	Vacant
Supervisor	Director of Mental Health, who reports to the Assistant Secretary, who reports to the Secretary
Location	Cook County

H3. Illinois Department of Human Services – Proposed Exemption

Position Number	40070-10-76-600-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Mental Health
Functional Title	Deputy Director of Clinical Operations
Incumbent	Vacant
Supervisor	Director of Mental Health, who reports to the Assistant Secretary, who reports to the Secretary
Location	Cook County

CMS Recommendation: “These positions meet the reporting criteria of the Commission Rules and considering the similarity of these positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

I. Illinois Workers’ Compensation Commission – Proposed Exemption

Position Number	40070-50-37-000-00-02
Position Title	Senior Public Service Administrator
Bureau/Division	Administration
Functional Title	Fraud Prevention & Efficiency Controller
Incumbent	Vacant
Supervisor	Chairman
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

- C1: Executive Director (Illinois Sentencing Policy Advisory Council)**
- C2: Senior Policy Advisor (Illinois Sentencing Policy Advisory Council)**

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- D: Chief Information Officer/Bureau Chief-Bureau of Computer Services (Department of Agriculture)**
- E: Chief of Information Technology Policy and Planning (CMS)**
- F1: Associate Deputy Director of Field Audits (Children & Family Services)**
- F2: State Central Register Administrator (Children & Family Services)**
- F3: Manager, Medicaid Certification & Program Services (DCFS)**
- F4: Assistant Guardianship Administrator (Children & Family Services)**
- G: Special Management Assistant/Senior Policy Advisor (DHS)**
- H1: Deputy Director of Adult Services, Division of Mental Health (DHS)**
- H2: Deputy Director of Licensing and Quality Management, Division of Mental Health (DHS)**
- H3: Deputy Director of Clinical Operations, Division of Mental Health (DHS)**
- I: Fraud Prevention & Efficiency Controller (Workers' Comp. Comm.)**

V. CLASS SPECIFICATIONS

- None submitted.

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VI. MOTION TO GO INTO EXECUTIVE SESSION

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

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VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	2/28/11	3/31/11	3/31/10
Aging	1	0	1
Agriculture	0	1	0
Children and Family Services	4	3	2
Corrections	1	0	0
Employment Security	3	2	2
Healthcare and Family Services	1	1	2
Historic Preservation Agency	1	1	1
Human Services	2	2	0
Natural Resources	9	8	1
Property Tax Appeal Board	0	2	0
State Fire Marshal	1	0	0
Transportation	10	5	10
Veterans' Affairs	0	1	0
Totals	33	26	19

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-33-10

Employee	Michelle R. Freeman	Appeal Date	02/02/10
Agency	Corrections	Decision Date	04/01/11
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unauthorized absences and violation of Standards of Conduct	Proposal for Decision	Charges are partially proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

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DA-53-10

Employee	George S. Gottlieb	Appeal Date	06/07/10
Agency	Revenue	Decision Date	03/31/11
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Conduct unbecoming	Proposal for Decision	Charges are proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-23-11

Employee	Sahin M. Cakir	Appeal Date	10/06/10
Agency	State Police	Decision Date	03/31/11
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Violation of Affirmative Attendance policy, insubordination, sleeping on state premises, and negligent performance of duties	Proposal for Decision	Charges are partially proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-25-11

Employee	Russell Purlee	Appeal Date	10/18/10
Agency	Human Services	Decision Date	04/01/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Recipient abuse	Proposal for Decision	Charges are not proven; discharge is set aside in whole; employee to be reinstated.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-26-11

Employee	Cindy L. Barrett	Appeal Date	10/22/10
Agency	Corrections	Decision Date	03/31/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Unauthorized absence	Proposal for Decision	Charges are proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-33-11

Employee	Michael A. Sanders	Appeal Date	12/07/10
Agency	Healthcare & Family Services	Decision Date	03/31/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Violation of Affirmative Attendance Policy and Employee Handbook	Proposal for Decision	Charges are proven and warrant discharge.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

RV-23-03²

Petitioner	AFSCME	Appeal Date	08/04/08
Agency	Various	Decision Date	03/22/11
Type	Rule Violation	ALJ	Daniel Stralka
Allegation(s)	Violation of Personal Code (20 ILCS 415/8b) by various state agencies in the use of personal service contracts and/or vendor contracts	Proposal for Decision	16 personal service contracts violated the Personnel Code because they covered a “position of employment.” The remaining allegations are dismissed.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

X. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-43-11

Employee	Don Ray Williams	Appeal Date	3/17/11
Agency	Corrections	Decision Date	3/28/11
Type	Discharge	ALJ	Andrew Barris
Charge(s)	Brought contraband into a correctional center	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

² This appeal was originally filed on October 31, 2002 and addressed the use of 538 personal service contracts and 45 vendor contracts in 21 different state agencies. After two administrative reviews, it was remanded to the Commission on August 4, 2008.

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XI. STAFF REPORT

XII. ANNOUNCEMENT OF NEXT MEETING

The next regular meeting is to be held on Friday, May 20, 2011 at 1:00 p.m. in the Commission's Springfield office.

XIII. MOTION TO ADJOURN